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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/887,519	06/22/2001	Mark A. Baloga	076507-0385	5752

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EXAMINER

FITZGERALD, JOHN P

ART UNIT	PAPER NUMBER
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3637

DATE MAILED: 02/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/887,519

Applicant(s)

BALOGA ET AL.

Examiner

John P Fitzgerald

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-37 and 39-58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-37 and 39-58 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 04 December 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 14.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. In view of the applicant's amendment filed 04 December 2001, the objections to the Specification, to claims 11, 14, 18 and 44 are withdrawn. In addition, rejection of claims 1-54 under 35 U.S.C. § 112, and rejection of claims 1-4, 6, 7, 11-14, 34-37, 39, 40, 44-47 and 50 under 35 U.S.C. § 102(b) are also withdrawn.

Claim Rejections - 35 USC § 103

2. Claims 1-4, 6, 7 and 11-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Worrell et al. and Baloga et al. Worrell et al. disclose a movable support system (Figs. 1-3) for at least one display device (col. 1, lines 10-12) comprising: a linear (col. 4, line 10) track system (30) (col. 1, lines 62-65) providing a track (28) mounted on furniture (10); a base (44) which is non-pivotably cantilevered (col. 1, lines 53-59 and col. 2, lines 25-28, 44-45) and movably mounted perpendicularly (Fig. 3) at a first section (46) to the track system; a display support assembly (54) including a plurality of arms (56, 58, 60, 62) adapted for coupling of the display device and pivotally mounted (col. 1, lines 58-61) at a second section (48) of the base; management of one or more cables at least partially through one passage (190) and a groove (36) (Fig. 4) wherein the display device installed on the display support assembly is selectively positioned for use in a variety of locations relative to the track system (col. 1, lines 53-61). Worrell et al. do not expressly disclose a movable support system for at least one display device having a work surface mounted over the track or configured to use in a work space providing at least one mobile table and wherein the support is at a height above the mobile table. Baloga et

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al. teach a workspace (Fig. 5) having a work surfaces (108, 109) (col. 15, lines 2-15) mounted over a mobile table (101) (col. 15, lines 25-36). It would have been obvious to one of ordinary skill in the art at the time the invention was made to place the movable support system for at least one display disclosed by Worrell et al. in the workspace, further adding work surfaces placed above the track and a mobile table beneath the support as taught by Baloga et al. for increasing the work space for the user, as well as storage of a wide variety of articles, such as electronic equipment and software publications (111) (Baloga et al. col. 15, lines 8-15).

3. Claims 8 and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Worrell et al. and Baloga et al., as applied to claims 1-4, 6, 7 and 11-15 above, and further in view of Nam. Worrell et al. disclose a movable support system for at least one display device having every recited element as stated previously. Worrell et al. and Baloga et al. do not expressly disclose a movable support system for at least one display device wherein the support includes a hub providing for management of one or more cables coupled to the display device. Nam teaches a hub (20) (Figs. 3-5) display device support (12) providing management of plural cables coupled to the display device. It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a the hub display device support taught by Nam, modifying the passage (190) on the movable support system for at least one display device disclosed by Worrell et al. and Baloga et al. for managing cables connected to the display and other peripheral devices (col. 1, lines 29-65).

4. As best understood, claims 9, 10 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Worrell et al. and Baloga et al., as applied to claims 1-4, 6, 7 and 11-15 above, and further in view of Leveridge et al. Worrell et al. and Baloga et al. disclose a movable

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support system for at least one display device having every recited element as stated previously. Worrell et al. and Baloga et al. do not expressly disclose a movable support system for at least one display device wherein the display support includes a pair of flanges and a pair of articulating arms and a display device is attachable to each of the pair of arms, and is further configured for coupling of two display devices or panels. Leveridge et al. teach a display support device (Fig. 1) supporting two panels (26, 28) attachable to each of the pair of articulating arms (20, 22), two flanges (38) extending from a base (16). It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the display support device having all the attributes above as taught by Leveridge et al., modifying the movable support system for at least one display device disclosed by Worrell et al. and Baloga et al. for increasing the total display screen area, as well enabling the user to achieve greater efficiency in a smaller space (col. 2, lines 12-28).

5. Claims 18-21, 23, 24, 27-31, 33 and 57 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Worrell et al. and Leveridge et al. Worrell et al. disclose a movable support system (Figs. 1-3) for at least one display device (col. 1, lines 10-12) comprising: a linear (col. 4, line 10) track system (30) (col. 1, lines 62-65) mounted on furniture (10); a base (44) which is non-pivotably cantilevered (col. 1, lines 53-59 and col. 2, lines 25-28, 44-45) and movably mounted perpendicularly (Fig. 3) at a first section (46) to the track system; a display support assembly (54) including a plurality of arms (56, 58, 60, 62) adapted for coupling of the display device and pivotally mounted (col. 1, lines 58-61) at a second section (48) of the base; management of one or more cables at least partially through one passage (190) and a groove (36) (Fig. 4) wherein the display device installed on the display support assembly is selectively

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positioned for use in a variety of locations relative to the track system (col. 1, lines 53-61).

Worrell et al. do not expressly disclose an apparatus providing a movable support for a display device wherein the display panels may be positioned for use in a variety of locations relative to the track by movement about at least one of a first joint, a second joint and a third joint; wherein the display support includes a pair of flanges and a pair of articulating arms and a display device is attachable to each of the pair of articulating arms, and is further configured for coupling of two display devices or panels. Leveridge et al. teach a display support device (Fig. 1) supporting two display panels (26, 28) attachable to each of the pair of articulating arms (20, 22), two flanges (38) extending from a base (16); and wherein each of the display panels may be positioned for use in a variety of locations by movement about at least one of a first joint (46, 70), a second joint (86) and a third joint (128); wherein the first joint comprises a pivotable joint between the support and the display device and the second joint comprises a pivotable joint between the support and the display device and the third joint comprises a pivotable joint between the support and the display device so that the display device is selectively repositionable relative to the support in at least one of upwardly, downwardly, laterally and pivotably. It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the display support device having all the attributes above as taught by Leveridge et al., modifying the movable support system for at least one display device disclosed by Worrell et al. for increasing the total display screen area, as well enabling the user to achieve greater efficiency in a smaller space (col. 2, lines 12-28). Specifically regarding claim 27, it would have been obvious to one having ordinary skill in the art at the time the invention was made to relocate the

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articulating arms to the ends of the flanges, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70 (CCPA 1950).

6. Claims 22 and 32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Worrell et al. and Leveridge et al. as applied to claims 18-21, 23, 24, 27-31 and 33 above, and further in view of Baloga et al. Worrell et al. and Leveridge et al. disclose an apparatus providing a movable support for a display device having every recited element as stated previously. Worrell et al. and Leveridge et al. do not expressly disclose an apparatus providing a movable support for a display device having a work surface mounted over the track or configured to use in a works space providing at least one mobile table and wherein the support is at a height above the mobile table. Baloga et al. teach a workspace (Fig. 5) having a work surfaces (108, 109) (col. 15, lines 2-15) mounted over a mobile table (101) (col. 15, lines 25-36). It would have been obvious to one of ordinary skill in the art at the time the invention was made to place the movable support system for at least one display configured to be coupled to utilities such as power or data through cables disclosed by Worrell et al. in the workspace, further adding work surfaces placed above the track and a mobile table beneath the support as taught by Baloga et al. for increasing the work space for the user, as well as storage of a wide variety of articles, such as electronic equipment and software publications (111) (Baloga et al. col. 15, lines 8-15).

7. Claims 25 and 26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Worrell et al. and Leveridge et al. as applied to claims 18-21, 23, 24, 27-31 and 33 above, and further in view of Nam. Worrell et al. and Leveridge et al. disclose an apparatus providing a movable support for a display device having every recited element as stated previously. Worrell et al. and Leveridge et al. fail to disclose an apparatus providing a movable support for a display

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device wherein the support is pivotably coupled to the support at a hub and manages wires through the hub. Nam teaches a hub (20) (Figs. 3-5) display device support (12) which is pivotably coupled to the hub, and which provides management of plural cables coupled to the display device. It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a the hub display device support taught by Nam, modifying the passage (190) on the movable support system for at least one display device disclosed by Worrell et al. and Leveridge et al. for managing cables connected to the display and other peripheral devices (col. 1, lines 29-65).

8. Claims 34-37, 39, 40 and 44-48 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Worrell et al. and Baloga et al. Worrell et al. disclose a movable support system (Figs. 1-3) for at least one display device (col. 1, lines 10-12) configured to be coupled to utilities such as power or data through cables, comprising: a linear (col. 4, line 10) track system (30) (col. 1, lines 62-65) mounted on furniture (10); a base (44) which is non-pivotably cantilevered (col. 1, lines 53-59 and col. 2, lines 25-28, 44-45) and movably mounted perpendicularly (Fig. 3) at a first section to the track system (46); a display support assembly (54) including a plurality of arms (56, 58, 60, 62) adapted for coupling of the display device and pivotally mounted (col. 1, lines 58-61) at a second section (48) of the base; management of one or more cables at least partially through one passage (190) and a groove (36) (Fig. 4) allowing it to be configured to be coupled to utilities such as power or data through cables (col. 2, lines 44-63), wherein the display device installed on the display support assembly is selectively positioned for use in a variety of locations relative to the track system (col. 1, lines 53-61).. Worrell et al. does not expressly disclose a movable support system for at least one display

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device configured to be coupled to utilities such as power or data through cables having a work surface mounted over the track or configured to use in a work space providing at least one mobile table and wherein the support is at a height above the mobile table. Baloga et al. teach a workspace (Fig. 5) having a work surfaces (108, 109) (col. 15, lines 2-15) mounted over a mobile table (101) (col. 15, lines 25-36). It would have been obvious to one of ordinary skill in the art at the time the invention was made to place the movable support system for at least one display configured to be coupled to utilities such as power or data through cables disclosed by Worrell et al. in the workspace, further adding work surfaces placed above the track and a mobile table beneath the support as taught by Baloga et al. for increasing the work space for the user, as well as storage of a wide variety of articles, such as electronic equipment and software publications (111) (Baloga et al. col. 15, lines 8-15).

9. Claim 41 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Worrell et al. and Baloga et al., as applied to claim 34 above, and further in view of Nam. Worrell et al. and Baloga et al. disclose a movable support system for at least one display device configured to be coupled to utilities such as power or data through cables having every recited element as stated previously. Worrell et al. and Baloga et al. do not expressly disclose a movable support system for at least one display device configured to be coupled to utilities such as power or data through cables wherein the support includes a hub providing for management of one or more cables coupled to the display device. Nam teaches a hub (20) (Figs. 3-5) display device support (12) providing management of plural cables coupled to the display device. It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a the hub display device support taught by Nam, modifying the passage (190) on the movable support

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system for at least one display device configured to be coupled to utilities such as power or data through cables disclosed by Worrell et al. and Baloga et al. for managing cables connected to the display and other peripheral devices (col. 1, lines 29-65).

10. Claims 42, 43 and 49 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Worrell et al. and Baloga et al., as applied to claim 34 above, and further in view of Leveridge et al. Worrell et al. and Baloga et al. disclose a movable support system for at least one display device configured to be coupled to utilities such as power or data through cables having every recited element as stated previously. Worrell et al. and Baloga et al. do not expressly disclose a movable support system for at least one display device configured to be coupled to utilities such as power or data through cables wherein the display support includes a pair of flanges and a pair of articulating arms and a display device is attachable to each of the pair of arms, and is further configured for coupling of two display devices or panels. Leveridge et al. teach a display support device (Fig. 1) supporting two panels (26, 28) attachable to each of the pair of articulating arms (20, 22), two flanges (38) extending from a base (16). It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the display support device having all the attributes above as taught by Leveridge et al., modifying the movable support system for at least one display device configured to be coupled to utilities such as power or data through cables disclosed by Worrell et al. and Baloga et al. for increasing the total display screen area, as well enabling the user to achieve greater efficiency in a smaller space (col. 2, lines 12-28).

11. Claims 51-56 and 58 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Worrell et al., Leveridge et al. and Baloga et al. Worrell et al. disclose a movable support system

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(Figs. 1-3) for at least one display device (col. 1, lines 10-12) comprising: a linear (col. 4, line 10) track system (30) (col. 1, lines 62-65) mounted on furniture (10); a base (44) which is non-pivotably cantilevered and movably mounted perpendicularly at a first section to the track system (46); a display support assembly (54) including a plurality of arms (56, 58, 60, 62) adapted for coupling of the display device and pivotally mounted (col. 1, lines 58-61) at a second section (48) of the base; management of one or more cables at least partially through one passage (190) and a groove (36) (Fig. 4) wherein the display device installed on the display support assembly is selectively positioned for use in a variety of locations relative to the track system (col. 1, lines 53-61). Worrell et al. do not expressly disclose a movable support system for use by at least one display device wherein display support assembly may be selectively positioned for use in a variety of locations relative to the track system by movement about at least one of a first joint, a second joint and a third joint, and for use in a workspace having an entrance.

Leveridge et al. teach a display support device (Fig. 1) supporting two display panels (26, 28) attachable to each of the pair of articulating arms (20, 22), two flanges (38) extending from a base (16); and wherein each of the display panels may be positioned for use in a variety of locations by movement about at least one of a first joint (46, 70), a second joint (86) and a third joint (128); wherein the first joint comprises a pivotable joint between the support and the display device and the second joint comprises a pivotable joint between the support and the display device and the third joint comprises a pivotable joint between the support and the display device so that the display device is selectively repositionable relative to the support in at least one of upwardly, downwardly, laterally and pivotably. It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the display support device

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having all the attributes above as taught by Leveridge et al., modifying the movable support system for at least one display device disclosed by Worrell et al. for increasing the total display screen area, as well enabling the user to achieve greater efficiency in a smaller space (col. 2, lines 12-28). Baloga et al. teach a workspace (Fig. 1) (col. 7, lines 21-40) having an entrance for user ingress and egress there through. It would have been obvious to one of ordinary skill in the art at the time the invention was made to place the movable support system disclosed by Worrell et al. and Leveridge et al., in the workspace taught by Baloga et al. for the improved freedom of user movement and comfort (col. 7, lines 39-40). Regarding the recitations of claims 51-56 in relation to a person's or group of person's body orientation or position, changes in a person's or group of person's body orientation or position relative to the workspace environment for the viewing or inability to view information contained on the display device taught by Worrell et al. and Baloga et al. are considered to be inherent, and as such, do not constitute a limitation in any patentable sense.

Response to Arguments

12. Applicant's arguments filed 04 December 2002 have been fully considered but they are not persuasive.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5

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USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Worrell et al. in view of Baloga et al., the motivation to provide a work surface above the moveable track system disclosed by Worrell et al. is clearly pointed out in Baloga et al. (col. 15, lines 25-36), which states the work surface can be used for “the storage of a wide variety of articles.” Additionally, the use of work surfaces for storage of articles is common and well known in the art. Further along this line of reasoning, all work spaces have work surfaces, including desks, shelves, etc. Applicant’s argument that the motivation to combine Worrell et al. and Baloga et al. had been taken from the Applicant’s own specification is incorrect, and is considered to be well-within the level of ordinary skill in the art.

Conclusion

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John P. Fitzgerald whose telephone number is (703) 305-4851. The examiner can normally be reached on Monday-Friday from 7:00 AM to 3:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai, can be reached on (703) 308-2486. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-872-9302 before final action, and (703) 872-9327 after final action. Any inquiry of a general nature relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-1113.



JF
02/21/2003

LANNA MAI
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